

REMARKS

Reconsideration of the application is respectfully requested. Claims 1-17 are subject to a restriction requirement. Claims 1-17 have been canceled without prejudice or disclaimer. Claims 18-102 have been added. These claims are linked by a special technical feature, i.e. compound 54. Support for claims 18-102 can be found in the claims as originally filed.

The Examiner has required restriction between:

Groups 1-135 Claims 1-13, 16-17 drawn to
compounds, compositions or dosage unit forms using
compounds 1-135;

Group 136-271 Claims 14-15 drawn to methods
using compounds 1-135;

The Examiner also requires Applicants to elect a specific compound and a "specific biologically active compound with that elected compound".

Whereas the claims as originally filed were directed to 135 delivery agent compounds, newly added claims 18-102 are directed to one delivery agent compound (compound 54) and salts thereof. These claims share one or more of the same special technical features. Therefore all of the pending claims have unity of invention.

More particularly, claims 18-19 are directed to compound 54 *per se*. Claims 20-42 relate to compositions containing compound 54. Claims 43-70 relate to dosage unit forms containing compound 54. Claims 71-95 relate to methods for administering a biologically active agent comprising administering compound 54. Claims 96-102 relate to methods for preparing a

composition comprising mixing compound 54. Compound 54 is a special technical feature which links the pending claims.

As a practical matter, Applicants respectfully submit that the pending claims would *not* be unduly burdensome to search. All of the claims directly or indirectly depend from claim 18. A careful search of the prior art relevant to claim 18 would necessarily uncover the prior art relevant to the remaining claims.

In order to be fully responsive, applicants provisionally elect Group I, compound 54, and cromolyn sodium for further prosecution. Nevertheless, Applicants reserve the right to petition a refusal to examine the currently pending claims under 37 C.F.R. § 1.144.

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Respectfully submitted,

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